



SLR/can 05/28/2004 6235-59216-01 281962

RCE/1632
PATENT
Tfw

Attorney Reference Number:6235-59216-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita et al.

Application No. 09/857,719

Filed: December 3, 2001

Confirmation No. 9622

For: GENE THERAPY FOR
CARDIOMYOPATHY

Examiner: Q. Janice Li

Art Unit: 1632

Attorney Reference No. 6235-59216-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed May 28, 2004

MAIL STOP RCE
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ALEXANDRIA, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION
TRANSMITTAL LETTER**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the application referenced above.

Submission required under 37 C.F.R. § 1.114

- ☒ Previously submitted:
☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 26, 2004.
- ☒ Enclosed:
☒ Copy of Amendment After Final Action dated April 26, 2004.

06/02/2004 CCHAU1 00000125 09857719

01 FC:1801 770.00 OP

06/02/2004 CCHAU1 00000125 09857719

02 FC:1253 530.00 OP

FILING FEE					
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Fee under 37 CFR 1.17(e)					\$770.00
Total Claims	5	- 28*	= 0	\$18.00	\$0.00
Indep. Claims	5	- 5**	= 0	\$86.00	\$0.00
Mult. Dep. Claims Fee (if not previously paid)				\$290.00	\$0.00
Three-month Extension of Time				\$950.00	\$950.00
Less Two-month Extension of Time previously paid on April 26, 2004					-420.00
TOTAL FILING FEE					\$1,300.00

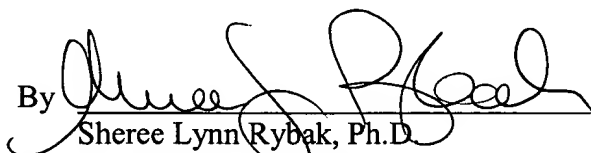
* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.

- ☒ Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ A check in the amount of \$1,300.00 is attached.
- ☒ Please charge any additional fees that may be required in connection with filing this RCE and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Sheree Lynn Rybak, Ph.D.
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cc: Docketing



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Response Under 37 C.F.R. § 1.116 Expedited Procedure

CERTIFICATE OF FACSIMILE

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Attorney Reference No. 6235-59216

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being faxed to the United States Patent and Trademark Office (PTO) to 703-872-9306 on the date shown below.

Attorney
for Applicant(s)

Date Mailed

April 26, 2004

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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT AFTER FINAL ACTION

This responds to the Office action dated December 18, 2003. A three-month period for response was set, and a two-month extension fee is enclosed, making a reply due by May 18, 2004. Please amend the referenced application as follows:

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3.

Remarks begin on page 5.

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